(1) CF 15 (3)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR ,CHHATTISGARH

CIVIL REVISION NO.- 212 **OF 2004**

PETITIONER Nishar Ahmed @ Pappu aged about 32 years, S/o Late Mohammed Rashid, R/o – Near Shiv Mandir, Nehru Nagar, Raipur, Tehsil and District- Raipur (C.G)

VERSUS

RESPONDENTS -

1. Shatrughan Yadav, aged about 25 years, S/o Vishnuram Yadav, R/o – Near Gotwa Talab, Shanti Para, Bhilai-3, Tehsil and District – Durg (C.G.)
2. Jitendra Shah, S/o (Not mention in order-sheet), R/o – LIG-43, Veer Sawarkar Nagar, Heerapur, Tatibandh , Raipur, Tehsil and District – Raipur (C.G.)
3. The New India Insurance Company Limited, Through Divisional Manager, Divisional Office, Madina Building, Kuchery Chowk, Medical College Road, Raipur, Tehsil and District-Raipur (C.G)

P.R. No. 2631/ley
Presented by Shri S. Pandya
dated 13.12.04

MEMO OF CIVIL REVISION UNDER SECTION 115 OF CIVIL PROCEDURE CODE

XI-HC-22

(14)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ....C.R...212/04 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24/03/2005 Shri Shivendu Pandya, counsel for the applicant. Heard. The applicant has preferred this revision petition against the impugned order dated 16/09/2004 by which the application for loan against the fixed deposit amount deposited in the name of the applicant as per instructions of the Claims Tribunal has been rejected. The case of the applicant is that an award of Rs. 3,00,000/- was passed in favour of the applicant by the Lok Adalat in mutual compromise and the sum of Rs. 75,000/- was given to the appellant in cash. However, the remaining amount was directed to be deposited in the fixed deposit account for a period of three years. An application was filed by the applicant that as per the bank rules, the applicant is entitled to obtain 75 % of loan against the fixed deposit amount and therefore, a prayer was made that the applicant should be permitted to take loan of Rs. 1,50,000/- against the fixed deposit amount but the same was rejected by the Claims Tribunal by the impugned order on the ground that the applicant is a income tax payee. Learned counsel for the applicant submits that the amount in question is required by the applicant for the purpose of business as he had already spent the amount disbursed to him by the Tribunal and he is not able to undertake any business because of the injury sustained by him and he wants to re-establish his scrap business. I have heard learned counsel for the applicant and it is directed that the applicant is permitted to take a sum of Rs. 75,000/- from the fixed deposit of his account. With the aforesaid direction, the revision is disposed of. **Sd/-** **Dhirendra Mishra** **Judge**	